

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GRAMMER INDUSTRIES, INC.,

Plaintiff,

Case No. 15-cv-12694

v.

Paul D. Borman
United States District Judge

BEACH MOLD AND TOOL, INC.
et al.,

R. Steven Whalen
United States Magistrate Judge

Defendants.

ORDER ADOPTING MAGISTRATE JUDGE WHALEN’S MARCH 14, 2019
REPORT AND RECOMMENDATION (ECF NO. 168) AND
GRANTING CERTAIN DEFENDANTS/CROSS-DEFENDANTS’
MOTION TO DISMISS (ECF NO. 102)

On March 14, 2019, Magistrate Judge R. Steven Whalen issued a Report and Recommendation (ECF No. 168) to GRANT Defendants/Cross-Defendants Beachmold Mexico, S. de R.L. de C.V. (“Beachmold Mexico”), Plastic Injection Operating Company of Mexico, LLC (“PIO”), and Plastic Injection Holding Company of Mexico, LLC, n/k/a iP3 North America, LLC (“iP3”)’s Motion to Dismiss (ECF No. 102). Having reviewed the Report and Recommendation and there being no timely objections filed with the Court under 28 U.S.C. § 636(b)(1) and E.D. Mich L. R. 72.1(d), the Court **ADOPTS** the Report and Recommendation and **GRANTS** the

Motion to Dismiss (ECF No. 102) and **DISMISSES WITHOUT PREJUDICE** Beachmold Mexico, PIO, and iP3 for lack of personal jurisdiction pursuant to Fed. R. Civ. P. 12(b)(2). *See Interra Corp. v. Henderson*, 428 F.3d 605, 620 (6th Cir. 2005) (holding that “dismissals for lack of personal jurisdiction should be made without prejudice,” citing Fed. R. Civ. P. 41(b)).

IT IS SO ORDERED.

s/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: April 2, 2019